

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ZACH HILLESHEIM,

Plaintiff,

vs.

BARRINGTON SHOPPES AT 370, L.L.C.,

Defendant.

**8:18CV290**

**ORDER TO SHOW CAUSE**

Federal Rule of Civil Procedure 4(m) provides, “If a defendant is not served within 90 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff -- must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Fed. R. Civ. P. 4(m).

Plaintiff filed the Complaint on June 25, 2018. (Filing No. 1). More than 90 days has elapsed since the Complaint was filed. To date, Plaintiff has not filed any return of service indicating service on the defendant, a waiver of service has not been filed, and the defendant has not entered a voluntary appearance. Accordingly,

**IT IS ORDERED** that Plaintiff shall have until **October 16, 2018**, to show cause why this case should not be dismissed pursuant to Federal Rule of Civil Procedure 4(m) or for want of prosecution. The failure to timely comply with this order may result in dismissal of this action without further notice.

Dated this 2<sup>nd</sup> day of October, 2018.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge